

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

RAHEEM J. BRENNERMAN,

Defendant.

No. 17-cr-337 (RJS)
PRELIMINARY ORDER OF
FORFEITURE/MONEY JUDGMENT

RICHARD J. SULLIVAN, Circuit Judge:

WHEREAS, on or about May 31, 2017, RAHEEM J. BRENNERMAN, a/k/a “Jefferson R. Brennerman,” a/k/a “Ayodeji Soetan,” (the “defendant”), was charged in a four-count Indictment, 17 Cr. 337 (RJS) (the “Indictment”), with conspiracy to commit bank and wire fraud, in violation of Title 18, United States Code, Section 1349 (Count One); bank fraud, in violation of Title 18, United States Code, Sections 1344 and 2 (Count Two); wire fraud, in violation of Title 18, United States Code, Sections 1343 and 2 (Count Three); and visa fraud, in violation of Title 18, United States Code, Section 1546(a) (Count Four);

WHEREAS, the Indictment included a forfeiture allegation as to Counts One through Three of the Indictment, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 982(a)(2), of all property that constitutes, or is derived from, proceeds obtained directly or indirectly as a result of the offenses charged in Counts One through Three of the Indictment, including but not limited to a sum of money representing the amount of proceeds obtained directly or indirectly as a result of the offenses charged in Counts One through Three of the Indictment;

WHEREAS, on or about December 6, 2017, the defendant was found guilty, following a jury trial, of Counts One through Four of the Indictment;

WHEREAS, the government asserts that \$4,400,000 in United States currency represents the amount of all property that constitutes, or is derived from, proceeds obtained directly or indirectly as a result of the offenses charged in Counts One through Three of the Indictment that the defendant personally obtained;

WHEREAS, the government seeks a money judgment in the amount of \$4,400,000 in United States currency, pursuant to Title 18, United States Code, Section 982(a)(2), of all property that constitutes, or is derived from, proceeds obtained directly or indirectly as a result of the offenses charged in Counts One through Three of the Indictment, including but not limited to a sum of money representing the amount of proceeds obtained directly or indirectly as a result of the offenses charged in Counts One through Three of the Indictment;

WHEREAS, on or about November 19, 2018, the defendant was sentenced and ordered to forfeit a money judgment in the amount of \$4,400,000 in United States currency representing the amount of proceeds traceable to the offenses charged in Counts One through Three of the Indictment that the defendant personally obtained;

WHEREAS, the Court finds that as a result of acts and/or omissions of the defendant, the proceeds traceable to the offenses charged in Counts One through Three of the Indictment that the defendant personally obtained have not been located.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. As a result of the offenses charged in Counts One through Three of the Indictment, to which the defendant was found guilty, following a jury trial, a money judgment in the amount of \$4,400,000 in United States currency (the "Money Judgment"), representing

the amount of proceeds traceable to the offenses charged in Counts One through Three of the Indictment that the defendant personally obtained, shall be entered against the defendant.

2. Pursuant to Federal Rule of Criminal Procedure 32.2(b)(4), this Preliminary Order of Forfeiture/Money Judgment is final as to the defendant, RAHEEM J. BRENNERMAN, and shall be deemed part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Federal Rule of Criminal Procedure 32.2(b)(3), the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Federal Rule of Criminal Procedure 32.2.

8. The Clerk of the Court shall forward three certified copies of this Preliminary Order of Forfeiture/Money Judgment to Assistant United States Attorney Alexander J. Wilson, Co-Chief of the Money Laundering and Transnational Criminal Enterprises Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.

SO ORDERED.

Dated: June 24, 2020
New York, New York



RICHARD J. SULLIVAN
UNITED STATES CIRCUIT JUDGE
Sitting by Designation